# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/602,245 | 06/23/2003 | Len Chan | 5306P098 | 1154 |

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| 60975          7590          12/27/2006 | | EXAMINER | |
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| BLDG. 4, SUITE 201 | | ART UNIT | PAPER NUMBER |
| AUSTIN, TX 78759 | | 3629 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|---|---|---|
| 3 MONTHS | 12/27/2006 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

| | Application No. | Applicant(s) |
| **Office Action Summary** | 10/602,245 | CHAN ET AL. |
| | Examiner | Art Unit | |
| | Janice A. Mooneyham | 3629 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>10 October 2006</u>.

2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1,3,5-9,11,13-17,19 and 21-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) <u>1,3,5-9,11,13-17,19 and 21-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * .c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

## DETAILED ACTION

1.    This is in response to the applicant's communication filed on October 10, 2006,

wherein:

Claims 1, 3, 5-9, 11, 13-17, 19, and 21-24 are currently pending;

Claims 1, 9, 17, and 21 have been amended.

### *Continued Examination Under 37 CFR 1.114*

2.    A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection.  Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114.  Applicant's submission filed on October

10, 2006 has been entered.

### *Claim Objections*

3.    Claim 17 is objected to because of the following informalities:  There are

numerous typographical errors in claim 17.  For example, respectively is spelled

"respectivelu" and the last limitation has words missing (upon providing the availability

determination, automatically generating first and second real-time quotes for the

requested function space **based first and second dates respectively**, wherein the first

and second real-time price quotes are different from each other.

Appropriate correction is required.

## *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4.      Claims 1, 3, 5-9, 11, 13-17, 19, and 21-24 rejected under 35 U.S.C. 112, first

paragraph, as failing to comply with the written description requirement. The claim(s)

contains subject matter which was not described in the specification in such a way as to

reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention. Applicant has amended

claims 1, 9, and 17. The highlighted portions are the newly amended claim limitations:

receiving a request for a function space at a digital processing system,

the digital processing system containing an availability information for one or more

function spaces at a plurality of remote properties and a set of pricing rules for one or

more function spaces, the request including a plurality of criteria, *wherein one of the*

*plurality of criteria is a first date for using the requested function space*;

determining an availability of the requested function space based upon

the availability information *for one or more function spaces at a plurality of remote*

*properties* and one or more of the plurality of criteria; and

upon determining that the requested function space satisfying the one or

more of the plurality of criteria is available, automatically providing a real-time price

quote for the requested function space based *on the first date*;

         *receiving a second request for the function space at the digital processing system, the second request including a plurality of criteria, wherein one of the plurality of criteria of the second request is a second date for using the requested function space;*

         *determining availability of the requested function space based on the availability information and one or more of the plurality of criteria of the second request;*

         *upon determining that the requested function space satisfying the one or more of the plurality of criteria of the second request is available, automatically providing a second real-time price quote for the requested function space on the second date;*

         *wherein the first and second dates are different from each other;*

         *wherein the real-time price quote and the second real-time price quote are different from each other.*

         a central digital processing system having a memory device, the memory device having stored thereon availability information for one or more function spaces at a plurality of remote properties, the central digital processing system configured to provide *first and second* availability *determinations* for function space based upon availability information and *in response to receiving first and second request, respectively, for the function space wherein the first and second requests comprise first and second dates, respectively for using the requested function space, wherein the first and second dates are different from each other*, and

upon providing the availability determination, *automatically generating first and second real-time quotes* for the requested function space based *on the first and second dates respectively, wherein the first and second real-time price quotes are different from each other.*

The applicant's specification discloses:

[0012] Embodiments of the invention provide systems and methods to provide an availability and price determination in response to **a request** for function space. For one embodiment, **a request** for a function space is received at a digital processing system that contains availability information and a set of pricing rules for one or more function spaces. The request includes a plurality of criteria. An availability of the requested function space is determined based upon the availability information and one or more of the criterion. A price for the requested function space is determined based upon the set of pricing rules and one or more of the criterion.

[0022] Embodiments of the present invention provide the ability to centrally maintain availability and pricing information for space product (e.g., a function space) at a plurality of individual sites and, in response to **a user request**, provide the information to the user in real-time (i.e., approximately as fast as the user can input the request). For one embodiment, availability and pricing information for a space product at each hotel of a hotel chain is maintained at, and accessed, from a central location. One embodiment of the invention optimizes space utilization by maintaining and searching availability and pricing information for a space product at multiple properties and suggesting alternatives at various properties. Such an embodiment employs complex algorithms, availability and pricing; thereby increasing reservations and revenue for a space product. For one embodiment, the revenue yield of the space product is increased by accepting reservations based upon the category of the space product as opposed to a specific space product. Such an embodiment allows more efficient use of available space and also increases revenue by allowing more efficient overbooking of the space in the event the requested space is not currently available.

[0028] FIG. 2 illustrates a process by which **a reservation for a space product (e.g., function space) is requested** and established in accordance with one embodiment of the invention. Process 200, shown in FIG. 2, begins with operation 205 in which a reservation request for function space is received from a customer at a central reservation data processing system ("DPS") which

may contain availability and pricing information for various function space entities ranging from an individual property to an entire hotel chain, covering thousands of individual properties worldwide and several within particular geographical locations. As described above, the reservation request typically includes a number of criteria.

[0029] At operation 210 the criteria of **the reservation request** are used to determine the best fit for a space product (e.g., a function space). The criteria are compared to the availability information contained in the central reservation DPS. The search is narrowed based upon specific criteria. For example, if **the reservation request** is specific to a geographical area (e.g., a particular city), or quality-specific (e.g., five-star hotel), then the central reservation DPS compares **the reservation request criteria** to the several properties that meet the specified criteria. Additionally, if the reservation criteria include a specific setup style and time, then the setup time and teardown time associated with the specified setup style and attendance are used to determine the total time for which the space should be allocated.

[0038] For purposes of illustrating an embodiment of the invention, central reservation DPS 305 may be a central processing system and database for a multi-location hotel chain with customers and local sales managers accessing the reservation management system 306 to obtain availability and pricing information for function space at one or more individual properties. For example, a customer could enter the specifics of **a function space reservation request** via a hotel chain website and receive, in fairly short order, a definitive response in regards to availability and pricing for the requested function space. This means the customer no longer has to wait hours or days for a response and is therefore less likely to inquire of competitors. Additionally, or alternatively, a sales manager at an individual hotel property could enter the specifics of **a function space reservation request** and receive a price quote based upon consideration of a number of complex factors aimed at increasing revenue. This decreases the likelihood that a sales manager will fail to consider one or more revenue-increasing pricing factors.

The Examiner has carefully reviewed the specification for the disclosure of a second date. The Examiner asserts that there is no disclosure for a second request wherein the second request is a second date for using the requested function space and wherein the first and second dates are different fro each other. The Examiner further asserts that there is no disclosure for the second price quote being different

from the first price quote. Thus, the Examiner asserts that these limitations are new

matter.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.       Claims 1,3,5-9, 11, 13-17, 19, and 21-24 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Bingham et al (US 2002/0069094) (hereinafter referred to as

Bingham) in view of Capek et al (Us 2003/0204474) (hereinafter referred to as Capek)

and further in view of Luxor Hotel and Casino, Las Vegas (hereinafter referred to as

Luxor).

Referring to Claims 1, 9, and 17:

Bingham discloses a method, a machine readable medium for providing

instructions which cause the processor to perform the method (page 3 [0025]), and a

system (Figs. 1, 2a, 2b, 3) for performing the method comprising:

receiving a request (**[0008]** *a reservation request is received from a user*) for

a function space (*resources for meetings*) at a digital processing system (*Internet*

*based system*), the digital processing system containing an availability information for

one or more function spaces at a plurality of remote properties (*multiple meeting*

*facility resources*) and a set of pricing rules for one or more function spaces

(Examiner interprets this as rules for determining the price of the space), the set of

pricing rules pertaining to supplementary sales (*as defined by applicant in the specification in paragraph [49] For example, the price at which a ballroom for a particular event is rented may be determined by consideration of many factors, including the profit on supplementary sales, such as food and beverages served at the event, and the number of guest rooms rented in conjunction with the*

Event – **Binham discloses received meeting facility criteria including meeting room and guest room meeting facility resources. In the alternative embodiment, the received meeting facility criteria also include desired food and beverage service meeting facility resources [0029] and a price for the defined meeting package is generated based upon the retrieved customer profile (block 516) [033]**, the request including a plurality of criteria, (**[0008] the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory, or facility reservation rules), (Figure 4 and [0029] meeting facility criteria are received (block 404) from the user via a graphical interface), [0030] a customer profile, a reservation rule, a reservation quota, and meeting facility inventory are retrieved. Thereafter the retrieved reservation rule is applied to determine whether the user input meeting facility criteria satisfy the retrieved reservation rule [0033] a price for the defined meeting package is generated based upon the retrieved customer profile. In one embodiment, customer profile includes a customer type designation such as corporate or government which entitles the designated customer to reduced prices for hotel guest room and other services (pricing rule corresponding to a**

*criterion) [0038] a meeting facility employee may adjust room pricing values*

*such as the corporate room rate and resource availability such as the number or*

*booked or available meeting rooms Fig. 4 (404), (410)*;

determining an availability of the requested function space based upon the

availability information and one or more of the criterion (*Fig. 5 (512) Are the Specified*

*Meeting Facility Resources Available for Reservation?,  page 1 [0008], page 4*

*[0033]*);  and

upon determining that a requested function space satisfying the one or more

plurality of criteria are available, automatically providing a real-time price quote for the

requested function space based upon the set of pricing rules, the pricing rules being

based on a weight assigned to each of the one or more plurality of criterion (*[0033] If*

*sufficient meeting facility resources are available to cover those desired by the*

*user as described in the meeting facility criteria then a meeting package*

*definition is generated using the specified meeting facility resources (block 514),*

*a price for the defined meeting package is generated based upon the retrieved*

*customer profile (block 516), and the meeting package definition; Figure 11*

*Reserve room for more than 7 nights and get 10% off; Fig. 5 (516) Price the*

*Meeting Package Based on the Customer Profile; [0008]  the meeting package*

*may be defined or reserved based on various meeting facility criteria input by the*

*user, real time facility inventory data, or facility reservation rules*; real time -page 1

[0008] – a customer profile associated with the user may be used to determine the *price*

of the meeting package or its component resources.  The meeting package may be

defined or reserved based on various meeting facility criteria input by the user, *real time* facility inventory data, or facility reservation rules. Fig. 5 [516], page 4 [0033], page 5 [0038].

Bingham does not disclose a second request wherein the second request is a second date for using the requested function space, wherein the first and second dates are different from each other or the second price quote being different from the first price quote.

However, Capek discloses a second request having a different date (Figure 2 Request for meeting (Earliest date; Latest date; Target Date).

It would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate into the reservation method and system of Bingham the ability to make a second request with a different dates to provide a method and system of scheduling events among a plurality of persons by optimizing selected variables to establish a convenient time for the occurrence of an event.

Luxor hotel discloses different price quotes for different dates. Furthermore, the Examiner takes Official Notice that it is old and well known in the reservation industry to have different price quotes for different dates. For example, flights cost more on certain days of the week than other days and resorts cost more during peak season than off-season.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the differing price quotes of Luxor with the disclosure of Bingham to allow meeting planners to receive the reservation which most matches the

planners criteria, such as dates of the meeting, within a price range or budget that the planner has been allowed.

Moreover, the Examiner further asserts that it would have been obvious to one of ordinary skill in the art to incorporate into Bingham the submission of a second request with a different date, wherein the second date gets a different price quote. Anytime one is shopping for a reservation, be it for a room or a flight, one often plays around with the travel date to get the best price. Reservation systems that accept flexible travel requests to provide better prices are well known in the reservation art.

Referring to Claims 3, 11, and 19:

Bingham discloses a method, medium and system wherein the plurality of remote properties are individual hotels of a hotel chain (Figs. 11-12).

Referring to Claims 5, 13 and 21:

Bingham discloses method, medium and system further comprising:

receiving an acceptance of the price for the requested function space from the user; and

establishing a reservation for the requested function space (Fig. 4 (416), Fig. 5 (516), Fig. 12 (confirmation number, grand total), page 5 [[0037]]).

Referring to Claims 6, 14 and 22:

Bingham discloses a method, medium and system further comprising receiving a rejection of the price for the requested function space from the user; and

providing alternatives to one or more of the plurality of criteria in real-time (Figs. 4-5, Fig. 11 alternatives are presented with differing prices).

Referring to Claims 7, 15 and 23:

Bingham discloses a method, medium and system wherein establishing a reservation for the requested function space includes allocating a function space of a specified category, the category specified by one or more category related criteria included in the plurality of criteria of the request (Figs. 4-5, page 1 [0008]).

Referring to 8, 16 and 24:

Bingham discloses a method, medium and system wherein the category related criteria include one or more criterion selected from the group consisting of attendance (Fig. 7 (706), event type (customer type Fig. 4) (page 4 [0033]), setup styles (Fig. 9 (906) (Setup Classroom) and area (Fig. 7 (708) (Figs 7-14).
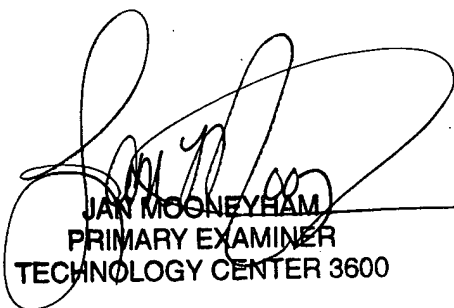
### *Response to Arguments*

Applicant's arguments with respect to claims 1, 3, 5-9, 11, 13-17, 19, and 21-24 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janice A. Mooneyham whose telephone number is (571) 272-6805. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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